

ment on their rights, to keep a strict guard over them; and he would oppose the proposition to impose a restriction, where the choice of the people should be untrammelled. An individual may possess every requisite qualification; may stand well in the estimation of his fellow citizens, and in every respect may be just the man required by the public wishes and the public interests; but because he has not resided in the county exactly the time prescribed, the people are to be debarred from electing him. It did not require a multiplicity of words to show the impolicy of such a restriction; and he would, therefore, refrain from troubling the House with any further remarks.

Mr. PHELPS said:

That if the principle was to be admitted that it is wrong in any case, to put a restriction on the right of election, we may as well say at once that a person may be taken from the county of Dorchester, to represent the county of Harford, or from Harford to represent Dorchester, or do away at once, with all qualification on the score of residence. But, to do this, would be in violation of the principles on which our political institutions are founded. It was proper that there should be a certain prescribed term of residence before a citizen is eligible to offices of trust and emolument.

He hoped the amendment of the gentleman from Harford would not prevail. He could see no force in the argument the gentleman had brought forward in support of his proposition.

Mr. McHENRY replied, that if the gentleman from Dorchester could see no argument in what he, (Mr. McH.,) had advanced, the gentleman from Dorchester certainly did not meet it with any argument.

Mr. PHELPS explained. He had said he did not comprehend the force of the argument of the gentleman from Harford, but he disavowed any intention to use that language in any disrespectful sense.

The question was then taken on the amendment of Mr. McHENRY; and

It was rejected.

Mr. DORSEY moved to amend said section by striking out "three" in the third line, and inserting in lieu thereof "two."

Mr. DORSEY said that hitherto twelve months residence had been what was required for a Delegate, and three years for a Senator. It occurred to him that two years would be quite enough for either. If a gentleman well known in the neighboring States of Pennsylvania or Delaware, near the confines of Maryland, and generally respected, should move his residence over the line into our State, it would not be necessary, if he were known and esteemed, that he should have a long residence to qualify him for office. It was only necessary for the candidate to have been a sufficient length of time in the State and county, to know what were the interests of the State and of his immediate constituents. If the people knew him to be properly qualified, no public inconvenience would result from their electing him after a residence of two

years. The restriction would operate on the native, equally with the naturalized citizen.

The question was then taken, and the amendment of Mr. DORSEY was rejected.

Mr. MERRICK moved to amend said section by filling the blank, in the eighth line, with "thirty."

Mr. SCHLEY moved to fill the blank with "twenty-five."

And the question was first on the longest time.

The amendment of Mr. MERRICK was rejected.

And the amendment of Mr. SCHLEY was agreed to.

The section was further verbally amended on motion of Mr. DORSEY.

The section, as amended, was then adopted.

The eighth section of the report was read and adopted, as follows:

*Section 8th.* No member of Congress, or person holding any Civil or Military office under the United States, shall be eligible to a seat in the General Assembly, and if any person shall, after his election as a member of either House of the General Assembly, be elected to Congress or be appointed to any office, Civil or Military, under the government of the United States, his acceptance thereof shall vacate his seat.

The ninth section was read as follows:

*Section 9th.* No Priest, Clergyman or Teacher of any religious persuasion, society or sect, and no person holding any civil office of profit under this State, except Justices of the Peace, shall be capable of having a seat in the General Assembly.

Mr. GWINN moved to amend it by striking out the word "civil" in the second line.

On a question put by Mr. SPENCER as to the effect of this amendment, a brief conversation took place, in which Mr. DORSEY, Mr. GWINN, and Mr. SPENCER took part, when Mr. RIDGELY suggested that his colleague, (the Reverend Mr. CHANDLER,) was absent from his seat owing to severe indisposition in his family, and that he wished to be heard on this question. He therefore asked of the courtesy of the House to pass over this matter informally for the present.

The PRESIDENT said, that under the practice of the Convention, unanimous consent would be required to pass over the section informally.

Some conversation followed, after which,

On motion of Mr. McHENRY, the consideration of the section was postponed until the other sections of the report should have been considered.

The tenth section of the report was read as follows:

*Section 10th.* Every Senator and Delegate before he acts as such, shall take and subscribe the following oath or affirmation, viz: "I do solemnly swear, (or affirm as the case may be,) that I will support the Constitution of the United States, and the Constitution of the State of Maryland, and that I will faithfully discharge my duties as Senator, (or Delegate as the case may be,) without prejudice or partiality, and to the best of my ability."